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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,098	07/28/2003	Jack R. Pfeffer	12,533	3517

7590 06/09/2005

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EXAMINER

SPERTY, ARDEN B

ART UNIT	PAPER NUMBER
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1771

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/628,098

Applicant(s)

PFEFFER, JACK R.

Examiner

Arden B. Sperty

Art Unit

1771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **FINAL OFFICE ACTION**

1. Applicant's remarks and amendments, filed 3/16/05, have been entered and carefully considered. The remarks and amendments do not place the claims in condition for allowance, as explained below.

#### ***Claim Rejections - 35 USC § 112***

2. The rejection of claim 3 under 35 USC 112, first paragraph, is withdrawn per Applicant's amendment. The rejection of claim 13 under 35 USC 112, first paragraph, remains as stated in the previous office action.

3. The rejections of claims 2, 7, and 14 under 35 USC 112, second paragraph, remain as stated in the previous office action. Applicant did not address the rejections in the presently filed response.

4. Claims 15, 16, 17, 18, 20, and 21, are rejected for the same reason that claim 14 was previously rejected. The claim language does not clearly state what applicant intends by performing the method step while the composite sheet is "being transported." Clarification of the implied step is required. Stating that the composite sheet is transported "on a conveyor," as is disclosed in the specification, would overcome the present rejection.

#### ***Claim Interpretation***

5. The interpretation of the claim structure remains as stated in the previous office action. Applicant's silence with respect to the interpretation is taken as concession.

***Claim Rejections - 35 USC § 102***

6. The previously stated rejection of claims 1, 2, 4, and 9 under 35 USC 102(b), as anticipated by USPN 5560985 to Watanabe, is withdrawn per Applicant's amendment.
7. The previously stated rejection of claims 1, 2, and 4 under 35 USC 102(e), as anticipated by USPN 6333280 to Hashimoto, is withdrawn per Applicant's amendment.
8. Claim 14 remains rejected under 35 USC 102(b) as being anticipated by USPN 4187275 to Bracalielly, as stated in the previous office action. Applicant did not argue this rejection.

***Claim Rejections - 35 USC § 102/103***

9. Claims 1, 2, and 4, in addition to claims 5, 6, and 11, are rejected under 35 USC 103(a) as being unpatentable over USPN 6333280 to Hashimoto.

Applicant does not argue the previously stated rejection of claims 5, 6 and 11. In addition, claims 1, 2 and 4 are presently rejected according to the same rejection.

***Claim Rejections - 35 USC § 103***

10. Claims 7-10 and 12 remain rejected under 35 USC 103(a) as being unpatentable over USPN 6333280 to Hashimoto, as stated in the previous office action.

***Allowable Subject Matter***

11. Claims 15-25 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

***Response to Remarks***

12. Applicant's remarks improperly state that claims 8, 10, 11, and 12 were previously indicated as allowable; no such indication has been made by the examiner.

***Conclusion***


13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arden B. Sperty whose telephone number is (571)272-1543. The examiner can normally be reached on M-Th, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on (571)272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Arden B. Sperty  
Examiner  
Art Unit 1771

June 2, 2005

  
CHERYL A. JUSKA  
PRIMARY EXAMINER